



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

Rhode Island State Labor Relations Board

Building 73
1511 Pontiac Avenue
Cranston, Rhode Island 02920-4407

OPEN MINUTES BOARD MEETING

TIME: 9:00 a.m.
DATE: Tuesday, December 9, 2003
PLACE: 1511 Pontiac Ave., Building #73, 3rd Floor, Cranston, RI 02920

BOARD MEMBERS IN ATTENDANCE: Walter J. Lanni, Chairman
Frank J. Montanaro
Joseph V. Mulvey
Gerald S. Goldstein
John R. Capobianco
Elizabeth S. Dolan

MEMBER ABSENT: Ellen L. Jordan

OTHERS PRESENT: Joan N. Brousseau, Administrator
Robyn H. Golden, Investigator
Margaret Hogan, Esquire

Chairman Lanni called the meeting to order in Open Session at 9:05 a.m.

All members present reviewed the Open Minutes of the October 14, 2003 Board Meeting. A Motion was made by Frank Montanaro and seconded by John Capobianco to accept the Open Minutes as written, and it was unanimously

VOTED: by all Board Members present to accept the minutes as written.

The meeting continued in open session:

Chairman Lanni and the RI State Labor Relations Board congratulated Mr. Frank Montanaro on his appointment as Chairman of the Blue Cross Board.

ELECTION PETITIONS:

1 Case No. EE-3671

State of Rhode Island (DCYF) & New England Health Care Employees Union, Dist. 1199

After review of the informal notes, a motion was made by Joseph Mulvey and seconded by John Capobianco to proceed to formal hearing on the petition. Staff is to contact the employer to verify the cards of interest that were submitted with the petition prior to the first formal hearing on this matter. If staff is unable to verify signatures, then a subpoena will be issued for the records. After discussion, all Board Members present voted in favor of the Motion.

UNIT CLARIFICATIONS:

1. Case No. EE-3357

Town of Foster & Laborers', Local 1322

UNIT CLARIFICATION: Tax Collector, Town Planner, Bldg. & Zoning Official, Adm. Assessment Clerk, Planning Clerk

After review of the consent agreement and affidavit submitted by the parties, a motion was made by Joseph Mulvey and seconded by Frank Montanaro to acknowledge and accept the agreement to include the above positions within the bargaining unit. After discussion, all Board Members present voted in favor of the Motion.

MISCELLANEOUS MATTERS:

1 ULP- 5614 & 5640 RIDOT & AFSCME

After review of the 30-day status letter sent to the parties, a motion was made by Joseph Mulvey and seconded by Elizabeth Dolan to dismiss both cases for failure of the parties to respond to the 30-day status request letter. After discussion, all Board Members present voted in favor of the Motion.

2. RI State Labor Relations Board Rules & Regulations

After review of the final revisions of the rules & regulations, a Motion was made by Joseph Mulvey and seconded by Frank Montanaro to accept all amendments to the rules & regulations effective January 1, 2004. After discussion, all Board Members present voted in favor of the Motion.

Frank Montanaro made a Motion for the Board to go into Closed Session for the purpose of reviewing Unfair Labor Practice Charges, cases concluded and miscellaneous matters and the minutes to be closed, pursuant to 42-46-5(a)(2)(4) of the Open Meetings Law. It was seconded by Joseph Mulvey, and it was unanimously

VOTED: for the meeting to go into closed session and to close the minutes.

The meeting and minutes were closed at 9:15 a.m.

The meeting resumed in open session at 9:55 a.m. for the purposes of reading into the minutes the determinations made by the Board in Closed Session.

UNFAIR LABOR PRACTICE CHARGES:

- 1 Case No. ULP-5682
Coventry Fire District & RI State Assoc. of Fire Fighters

Frank Montanaro disqualified himself from participation in this matter.

DETERMINATION: case to be held in abeyance pending the outcome of ULP-5673

2. Case No. ULP-5683
E. Greenwich School Committee & E. Greenwich Food Service Personnel
NEARI/NEA

DETERMINATION: issue a Complaint and proceed to formal hearing.

3. Case No. ULP-5684
DCYF & AFSCME

DETERMINATION: the charge was withdrawn prior to Board Meeting.

4. Case No. ULP-5687
Town of Warren & IBPO

DETERMINATION: issue a Complaint and proceed to formal hearing.

5. Case No. ULP-5688
MHRH & AFSCME

DETERMINATION: dismissal of charge in accordance with R.I.G.L 28-7-9(d).

6. Case No. ULP-5697
City of Newport, Newport Police & Newport FOP

DETERMINATION: issue a Complaint and proceed to formal hearing.

MISCELLEANEOUS MATTERS:

1. ULP- 5538
Department of Corrections & RIBCO

DETERMINATION: place case back on Formal Hearing Calendar

2. Closed Minutes - October 14, 2003

DETERMINATION: the closed minutes were sealed to be reviewed again at the
Board Meeting of January 6, 2004.

A Motion to adjourn was made by Joseph Mulvey, and it was seconded by Frank Montanaro, and
it was unanimously,

VOTED: to adjourn the meeting at 10:00 a.m.